

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

JAMES BRADLEY ALBRIGHT	§	
VS.	§	CIVIL ACTION NO. 1:23cv299
HOLIDAY UNIT, ET AL.	§	

MEMORANDUM OPINION AND ORDER

Plaintiff James Bradley Albright, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against the Holiday Unit, the Clemens Unit, the University of Texas Medical Branch (“UTMB”) and the Texas Department of Criminal Justice (“TDCJ”). Plaintiff complains of the medical care he received.

## Discussion

The Civil Rights Act, 42 U.S.C. § 1981, *et. seq.*, pursuant to which this case is brought, does not contain a specific provision governing venue. Accordingly, venue in civil rights cases is controlled by 28 U.S.C. § 1391. When, as in this case, subject-matter jurisdiction is not founded solely on diversity of citizenship, 28 U.S.C. § 1391 provides that venue over the lawsuit is proper only in the judicial district where the defendant resides or in which the claims arose. Tile 28 U.S.C. § 1406(a) provides that a case filed in the wrong district may be transferred to any district where it could have been brought.

Plaintiff's claims concern events that occurred at two different locations: (1) the Holiday Unit, which is located in Walker County, Texas, and (2) the Clemens Unit, which is located in Brazoria County. Pursuant to 28 U.S.C. § 124, Walker County is located in Houston Division of the Southern District of Texas, while Brazoria County is located in the Galveston Division of the Southern District. Plaintiff's claims therefore arose in Walker County and Brazoria County. This lawsuit has no apparent connection to the Eastern District of Texas.

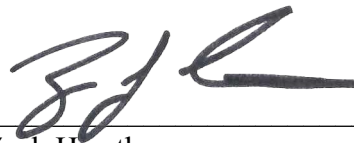
As plaintiff's claims did not arise in the Eastern District of Texas, venue is not proper in this court. The claims against the Holiday Unit and against UTMB and TDCJ concerning events which

occurred at the Holiday Unit will therefore be transferred to the Houston Division of the Southern District of Texas, while the claims against the Clemens Unit and against UTMB and TDCJ concerning events which occurred at the Clemens Unit will be transferred to the Galveston Division of the Southern District of Texas.

**ORDER**

For the reasons set forth above, it is **ORDERED** that: (1) the claims against the Holiday Unit and against UTMB and TDCJ concerning events occurring at the Holiday Unit are **TRANSFERRED** to the Houston Division of the United States District Court for the Southern District of Texas and (2) the claims against the Clemens Unit and against UTMB and TDCJ concerning events occurring at the Clemens Unit are **TRANSFERRED** to the Galveston Division of the United States District Court for the Southern District of Texas.

SIGNED this 18th day of August, 2023.

A handwritten signature in black ink, appearing to read 'Zack Hawthorn', written over a horizontal line.

Zack Hawthorn  
United States Magistrate Judge